

REMARKS

I. Status of the Application

By the present amendment, claims 1, 3, 6-8, 12-23, 25, 27 and 29 have been amended.

Claims 1-33 are all the claims pending in the Application, with claims 1, 6 and 12-29 being in independent form. Claims 1-18 and 24-29 have been rejected.

The present amendment addresses each point of objection and rejection raised by the Examiner. Favorable reconsideration is respectfully requested.

II. Allowable Subject Matter

Applicant thanks the Examiner for indicating that claims 3, 8, 14, 17 and 29 would be allowed if rewritten or amended to overcome the rejections under 35 U.S.C. § 112, second paragraph, as set forth in the Office Action dated 08/17/05, and if rewritten in independent form.

Applicant has amended claims 3, 8, 14, 17 and 29 in response to the Examiner's objections under 35 U.S.C. § 112, second paragraph, as set forth above. However, Applicant respectfully requests that the Examiner hold in abeyance such rewriting of claims 3, 8, 14, 17 and 29 in independent form until the Examiner has had an opportunity to reconsider (and withdraw) the prior art rejection of the other claims.

Applicant thanks the Examiner for indicating that claims 19-23 would be allowed if rewritten or amended to overcome the objections to these claims as set forth in the Office Action dated 08/17/05. Claims 19-23 have been amended, as set forth above, to correct the informalities

noted by the Examiner. Therefore, Applicant respectfully submits that claims 19-23 are immediately allowable.

III. Claim Objections

Applicant thanks the Examiner for withdrawing the previous objections with respect to claims 24 and 26.

The Examiner has objected to claims 1, 3, 6, 8, 14, 17, 19-23 and 29 due to various informalities. The informalities noted by the Examiner have been corrected as set forth above. Accordingly, Applicant respectfully requests that the Examiner withdraw these objections.

IV. Claim Rejections under 35 U.S.C. §112

Applicant thanks the Examiner for withdrawing the previous objections under 35 U.S.C. §112.

The Examiner has rejected claims 3, 8, 14, 17 and 29 under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. In particular, the Examiner alleges that the omitted steps are storing the MAC address received from the authentication server.

Accordingly, Applicant has amended claims 3, 8, 14, 17 and 29, as set forth above, to include the step of the access point storing a MAC address of a terminal that is to be authenticated. However, contrary to the allegations in the grounds of rejection, Applicant respectfully submits that the step of receiving a MAC address from the authentication server is not an essential step as defined by the present specification. Indeed, the Examiner has not

provided any factual support or reasoning to support the contention that, as defined by the present specification, the step of receiving a MAC address from the authentication server is an essential step.

In contrast, the present specification explains merely that “the authentication server 3 instructs that the usable MAC address table stored in the AP 2 is made to renew.” As such, Applicant submits that, as defined in the present specification, it is not essential that an access point receive a MAC address from the authentication server, rather, a MAC address could be received from a variety of possible sources. Therefore, Applicant respectfully submits that the amended claims 3, 8, 14, 17 and 29 comply with 35 U.S.C. § 112, second paragraph, and request that the Examiner withdraw these rejections.

V. Claim Rejections under 35 U.S.C. § 103

The Examiner has rejected claims 1, 2, 6-7, 9, 12-13, 15-16, 25, 27-28 and 30-33 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,307,837 to Ichikawa (hereinafter “Ichikawa”). Applicant respectfully traverses these rejections for *at least* the independent reasons set forth below.

A. Independent Claim 1

Independent claim 1 recites (among other things):

...if no problem occurs at hardware or software of said authentication server, checking said authentication request at said authentication server based on a MAC (media access control) address of said STA...

The Examiner acknowledges that Ichikawa does not teach or suggest the above feature. (08/17/05 Office Action, page 4). The grounds of rejection nevertheless set forth the conclusory allegation that it would have been obvious to one of ordinary skill in the art to modify the teachings of Ichikawa by moving the operation of checking an authentication request based on a MAC address, from the wireless base station 1-6, as taught in Ichikawa, to the authentication server 1-8. (08/17/05 Office Action, page 4). Moreover, the grounds of rejection allege that one of ordinary skill would have been motivated to make such a fundamental modification to Ichikawa to reduce the system cost by combining MAC comparison hardware from several base stations into one authentication server. (08/17/05 Office Action, page 4).

In response to the reasoning advanced in the Amendment filed on May 24, 2005, the grounds of rejection merely allege that “the Examiner believes that combining the process of authentication by MAC address at a single entity, like an already existing authentication server, is obvious to one of ordinary skill in the art.” (08/17/05 Office Action, page 7). The grounds of rejection also allege that Applicant’s making the process of authentication by MAC address integral is a design choice, and cite In re Larson 144 USPQ 347 (CCPA 1965) as allegedly supporting this proposition. (08/17/05 Office Action, page 8).

Applicant respectfully disagrees with the grounds of rejection. MPEP §2144 makes it clear that, “[i]f the facts in a prior legal decision are sufficiently similar to those in an application under examination, the examiner may use the rationale used by the court” (emphasis added). (MPEP §2144). However, Applicant submits that the Examiner’s reliance on In re Larson is

misplaced since the facts of In re Larson are entirely different than those involved in the present application.

In In re Larson, a claim to a fluid transporting vehicle was rejected as obvious over a prior art reference, since the claim differed from the prior art only in claiming a brake drum integral with a clamping means, whereas the brake disc and clamp of the prior art comprised several parts rigidly secured together as a single unit. The court affirmed the Examiner's rejection holding that "that the use of a one piece construction instead of the structure disclosed in [the prior art] would be merely a matter of obvious engineering choice." (In re Larson, 340 F.2d 965, 968, 144 USPQ 347, 349 (CCPA 1965)).

That is, the court in In re Larson held that since the prior art already disclosed a mechanical device comprised of several parts rigidly secured together as a single unit, it would have been obvious to make the same mechanical device with the several parts rigidly secured together as a single unit integral (i.e., using a one piece construction). It is important to note, however, that the court In re Larson only concluded that it would have been obvious to make the several parts of the brake disc and clamp integral in a one piece construction, based on the fact that the prior art disclosed that each of those same several parts of the brake disc and clamp had already been rigidly secured together as a single unit. The court in In re Larson did not conclude that it would have been obvious to rigidly secure together the several parts of the brake disc and clamp.

Nevertheless, the grounds of rejection inappropriately construe the holding in In re Larson as allegedly supporting the conclusion that it would have been obvious to combine MAC

comparison hardware from several base stations into an authentication server. In stark contrast to the facts in In re Larson, however, the prior art in the present application does not teach or suggest that the MAC comparison hardware from several base stations are rigidly secured together as a single unit. In fact, the prior art provides no teaching or suggestion whatsoever regarding the feature of combining the MAC comparison hardware from several base stations into an authentication server, nor have the grounds of rejection identified any such a teaching or suggestion. Therefore, In re Larson cannot possibly stand for the proposition that it would have been obvious to make the MAC comparison hardware from several base stations integral (i.e., using a one piece construction).

For *at least* the reasons discussed above, the facts in In re Larson are not sufficiently similar to those in the present application and, therefore, Applicant submits that it is improper under MPEP §2144 for the Examiner to use the rationale used by the court in In re Larson. Consequently, Applicant submits that claim 1 is patentable over the cited Ichikawa reference for *at least* these reasons.

Moreover, the grounds of rejection merely allege that “the Examiner believes that combining the process of authentication by MAC address at a single entity, like an already existing authentication server, is obvious to one of ordinary skill in the art.” (08/17/05 Office Action, page 7). However, Applicant respectfully submits that the Examiner’s “beliefs” are completely irrelevant to a proper determination of obviousness in accordance with the MPEP. To the contrary, as pointed out in the Amendment filed on May 24, 2005, it is incumbent upon the Examiner to establish a factual basis to support the legal conclusion of obviousness. (*In re*

Fine, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988)). This burden can only be satisfied by an objective teaching in the prior art or by cogent reasoning that the knowledge is available to one of ordinary skill in the art. (*See In re Lalu*, (747 F.2d 703, 223 U.S.P.Q. 1257 (Fed. Cir. 1984))).

First, the grounds of rejection have not provided any factual basis, in any of the previous Office Actions, to support the bald assertion that it would have been obvious to one of ordinary skill in the art to fundamentally modify the teachings of Ichikawa by moving the operation of checking an authentication request based on a MAC address from the wireless base station 1-6 to the authentication server 1-8. Indeed, MPEP §2143 clearly requires that the grounds of rejection must show that Ichikawa teaches or suggests all of the claim limitations in the rejected claims. (*See* MPEP §2143).

In contrast to the requirements of the MPEP, the 08/17/05 Office Action summarily alleges that the recitation “checking said authentication request at said authentication server based on a MAC (media access control) address of said STA,” which Ichikawa admittedly does not teach or suggest, would have been obvious to one of ordinary skill. (08/17/05 Office Action, page 4).

In doing so, the grounds of rejection merely make a broad statement of obviousness, with regard to the limitation of checking an authentication request at an authentication server based on a MAC address of an STA, and completely ignore the deficient teachings of Ichikawa. Moreover, the grounds of rejection do not state that checking an authentication request at an authentication server based on a MAC address of an STA is “well known,” nor does the

Examiner take “Official Notice” with respect to this recitation. By failing to cite or show any reference disclosing this limitation, the grounds of rejection have failed to make the requisite showing that these facts, asserted to be obvious by the Examiner, are capable of instant and unquestionable demonstration. (*See In re Ahlert*, 424 F.2d 1088, 1091, 165 USPQ 418, 420 (CCPA 1970)).

Applicants respectfully request the Examiner cite references and provide evidence for each of his conclusory statements. (MPEP §§ 2144.03, 2144.04 (case citations omitted)). Otherwise, unsupported statements and conclusions of obviousness are considered inadmissible hindsight. (*See, e.g., In re Geiger*, 2 USPQ2d 1276 (Fed. Cir. 1987), *Panduit Corp. v. Dennison Mfg. Co.*, 1 USPQ2d 1593 (Fed. Cir. 1987), *In re Gordon*, 221 USPQ 1125 (Fed. Cir. 1984), *Ex parte Clapp*, 227 USPQ 972 (Pat. Off. Bd. App. & Inter. 1985), *Ex parte Shepard and Gushue*, 188 USPQ 537 (Pat. Off. Bd. App. 1974)).

It is well settled that an Examiner may not rely on a mere statement of obviousness, at the exact point where patentable novelty is argued, but must come forward with pertinent prior art. (*See Ex parte Cady*, 148 U.S.P.Q. 162 (Bd. of App. 1965)). In claim 1, one of the points of novelty is checking an authentication request at an authentication server based on a MAC address. (*See claim 1*). However, the Examiner has not identified any prior art which suggests or teaches this, or any other novel aspects of the present invention found in claim 1.

Since the grounds of rejection have not provided any evidentiary support for the conclusory statements of obviousness therein, the grounds of rejection have failed to establish even a *prima facie* case of obviousness for *at least* these reasons.

What is more, the 08/17/05 Office Action has not provided any response to the arguments advanced in the Amendment filed on May 24, 2005, that Ichikawa provides no teaching or suggestion whatsoever regarding the feature of checking an authentication request at an authentication server based on a MAC address. In fact, Ichikawa teaches the complete opposite—that each authentication request is checked in the wireless base station 1-6. Specifically, Ichikawa teaches that the terminal address/VLAN-ID comparison section 15, located in the wireless base station 1-6, searches the terminal information table stored therein to confirm the identity of the VLAN-ID and the source address. (column 9, line 66 – column 10, line 17). Since the 08/17/05 Office Action has not responded to any of the previously advanced arguments in this regard, these arguments remain unrebutted, and claim 1 is allowable *at least* for reasons already of record.

Additionally, the 08/17/05 Office Action has not provided any response to the arguments advanced in the Amendment filed on May 24, 2005, that Ichikawa plainly teaches away from the feature of checking an authentication request at an authentication server based on a MAC address. Indeed, Ichikawa teaches that the packets received from a terminal 1-7 by the wireless base station 1-6 are always authenticated by the wireless base station 1-6 itself. Therefore, unlike the invention recited in claim 1, it is difficult for the wireless base stations 1-6 taught in Ichikawa to provide MAC address tables for large numbers of terminals. (*See* Specification page 3, lines 15-23). Thus, because the 08/17/05 Office Action has not responded to any of the previously advanced arguments in this regard, these arguments remain unrebutted, and claim 1 is allowable *at least* for reasons already of record.

In short, the grounds of rejection allege that it would have been obvious to modify Ichikawa to derive the invention recited in claim 1. (*See* 08/17/05 Office Action, page 7). However, the mere fact that a reference can be modified does not make the resultant modification obvious unless the prior art also suggests the desirability of the modifications. (*See In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990)).

No aspect of Ichikawa teaches or suggests the desirability of checking an authentication request at the terminal authentication server 1-8 based on a MAC address of a terminal. Indeed, none of the previous Office Actions have pointed to any specific portion of Ichikawa that teaches or suggests the desirability of this feature.

Second, the grounds of rejection have not provided any factual basis, in any of the previous Office Actions, to support the allegation that one of ordinary skill would have been motivated to make such a fundamental modification to reduce system cost by combining the system hardware in one unit/server. Yet, MPEP §2143 requires that the grounds of rejection must establish that there that there is some suggestion or motivation, in either the Ichikawa reference itself, or in the knowledge generally available to one of ordinary skill in the art, to modify the teachings of Ichikawa as proposed by the Examiner, to arrive at the present invention. (*See* MPEP § 2143).

Further, the 08/17/05 Office Action has not provided any response to the arguments advanced in the Amendment filed on May 24, 2005, that no aspect of Ichikawa teaches or suggests that moving the operation of checking an authentication request, from the base station 1-6, to the terminal authentication server 1-8, would reduce the system cost by combining MAC

comparison hardware from several base stations into one authentication server, as suggested by the grounds of rejection. And, none of the previous Office Actions have pointed to any specific portion of Ichikawa that teaches or suggests such a motivation.

In fact, Ichikawa provides no teaching or suggestion whatsoever that such a modification is even feasible, much less desirable. To the contrary, Ichikawa teaches that it is desirable for the base station 1-6 to perform the authentication process at the beginning of the communication process, to prevent fraudulent access. (*See* column 8, ln. 64 – column 9, ln. 4; column 9, lines 44-64). Indeed, when Ichikawa is considered as a whole, the entirety of the reference makes clear that it is desirable to provide a base station that allows only registered terminals to access certain data networks, and does not suggest that it is desirable to provide an authentication server which checks an authentication request based on a MAC address.

Since the grounds of rejection have not responded to the previous arguments in this respect, these argument remain unrebutted and claim 1 is allowable *at least* for reasons already of record.

Independent claim 1 further recites (among other things):

...if no problem occurs at hardware or software of said authentication server, notifying an authentication completion from said authentication server to said AP, after said authentication server received a response of a completion of said encryption authentication from said AP.

The grounds of rejection allege that the step of sending an authentication reception signal 2-6 allowing communication, as shown in Figure 3 of Ichikawa, corresponds to the above feature. Applicant respectfully disagrees.

In the Amendment filed on May 24, 2005, Applicant advanced arguments that Ichikawa fails to teach or suggest the above features because Ichikawa plainly teaches that the authentication reception signal 2-6 is transmitted from the base station 1-6 to the terminal 1-7. Specifically, Ichikawa teaches that the terminal authentication section 10, located within the wireless base station 1-6 (which the grounds of rejection allege to correspond to an “access point” as recited in claim 1), transmits the authentication reception signal 2-6 to the wireless packet terminal 1-7.

Therefore, the authentication reception signal 2-6 cannot possibly correspond to notifying an authentication completion from said authentication server to an access point, as recited in claim 1. In fact, as taught in Figure 3 of Ichikawa, the only signal that is ever transmitted from the terminal authentication server 1-8 to the wireless base station 1-6 is the terminal information notice 2-3, which clearly does not notify an authentication completion, as required by claim 1.

In response to the above arguments, the 08/17/05 Office Action alleges that Ichikawa inherently teaches notifying an authentication completion from terminal authentication server 1-8 to the wireless base stations 1-6 because the notification signal 2-6 from the authentication server 1-8 can be delivered only through a wireless base stations 1-6.

However, the 08/17/05 Office Action still has not provided any factual support whatsoever regarding the allegation that the authentication reception signal 2-6 can ever be

transmitted from the terminal authentication server 1-8. In fact, Ichikawa expressly teaches the complete opposite—that the authentication reception signal 2-6 is transmitted from the base station 1-6 to the terminal 1-7. Since the grounds of rejection still have not provided any factual evidence to support ignoring the express teachings of Ichikawa, Applicant submits that the arguments already of record remain unrebutted, and that claim 1 is patentable over Ichikawa for *at least* these reasons.

For *at least* the above reasons, Applicant submits that the Examiner has not established even a *prima facie* case for obviousness with respect to claim 1. Further, Applicant submits that the dependent claims 2 and 30-33 are allowable *at least* by virtue of their dependency on claim 1. Accordingly, Applicant respectfully requests that the Examiner withdraw these rejections.

B. Independent Claim 6

Independent claim 6 recites (among other things):

...said authentication server which, if no problem occurs at hardware or software of said authentication server, checks said authentication request from one of said STAs based on a MAC address of one of said plural STAs...

Independent claim 6 further recites:

...said authentication server which... notifies an authentication completion to said AP, after said authentication server received a response of a completion of encryption authentication from said AP...

In view of the similarity between these requirements and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that the foregoing arguments as to the patentability of independent claim 1 apply *at least* by analogy to claim 6. As

such, it is respectfully submitted that claim 6 is patentably distinguishable over Ichikawa *at least* for reasons analogous to those presented above. Further, Applicant submits that the dependent claims 7, 9 and 33 are allowable *at least* by virtue of their dependency on claim 6. Thus, the allowance of these claims is respectfully solicited of the Examiner.

C. Independent Claim 12

Independent claim 12 requires (among other things):

...wherein said communication part requests from said authentication server an authentication based on said second information certificate...

In view of the similarity between these requirements and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that the foregoing arguments as to the patentability of independent claim 1 apply *at least* by analogy to claim 12. As such, it is respectfully submitted that claim 12 is patentably distinguishable over Ichikawa *at least* for reasons analogous to those presented above. Thus, the allowance of this claim is respectfully solicited of the Examiner.

D. Independent Claim 13

Independent claim 13 requires (among other things):

...wherein said communication part requests from an authentication server an authentication based on said second information certificate...

In view of the similarity between these requirements and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that the foregoing arguments as to the patentability of independent claim 1 apply *at least* by analogy to claim 13. As such, it is respectfully submitted that claim 13 is patentably distinguishable over Ichikawa *at*

least for reasons analogous to those presented above. Thus, the allowance of this claim is respectfully solicited of the Examiner.

E. Independent Claim 15

Independent claim 15 recites (among other things):

...an authentication server, which issues permission to establish a connection.

In the Amendment filed on May 24, 2005, Applicant advanced arguments that the grounds of rejection have not pointed to any specific portion of Ichikawa that teaches or suggests the above feature. To the contrary, Ichikawa teaches that the terminal authentication server 1-8 merely transmits a terminal information notice 2-3 to the wireless base station 1-6, which may include terminal addresses, VLAN-Ids and encryption keys. (Column 7, lines 45-55; Figure 3; column 8, lines 33-54). However, no aspect of Ichikawa teaches or suggests that the terminal authentication server 1-8 taught therein issues permission for establishing a connection, as recited in claim 15.

In response to Applicant's arguments, the grounds of rejection allege that Ichikawa teaches an authentication server 1-8 which, as modified as stated in the rejection of claim 1, issues a permission to a wireless packet terminal to start communication.

Hence, Applicant submits that Ichikawa provides no teaching or suggestion that the terminal authentication server 1-8 taught therein issues permission for establishing a connection, as recited in claim 15, for *at least* the reasons discussed above with respect to claim 1. As such, Applicant submits that claim 15 would not have been obvious from Ichikawa for *at least* these reasons. Thus, Applicant respectfully requests that the Examiner withdraw this rejection.

F. Independent Claim 16

Independent claim 16 recites (among other things):

An access point apparatus comprising:
a communication part...
...wherein when an authentication request is
issued from said terminal:
...said communication part sends the MAC
address of said terminal to said
authentication server and receives a result
of a MAC address authentication performed by
said authentication server...

In the Amendment filed on May 24, 2005, Applicant advanced arguments that the grounds of rejection do not point to any specific portion of Ichikawa that teaches or suggests the above feature. In stark contrast, Ichikawa teaches that the only communication sent from a wireless base station 1-6 to the terminal authentication server 1-8 comprises a terminal information request 2-2. (*See* column 7, lines 49-53). However, Ichikawa fails to teach or suggest that the terminal information request 2-2 comprises a MAC address of a terminal. Further, for reasons analogous to those presented above with respect to independent claim 1, Ichikawa also fails to teach or suggest that the terminal authentication server 1-8 performs a MAC address authentication, as required by claim 16.

In response to Applicant's arguments, the grounds of rejection allege that Ichikawa, modified as discussed in the rejection with respect to claim 1, teaches sending a MAC address to the authentication server and receiving a result of a MAC address authentication performed at the server, as the MAC comparison function is moved from base stations to the server.

Thus, Applicant submits that claim 15 is patentable over the cited Ichikawa reference for *at least* reasons analogous to those discussed above with respect to claim 1 and respectfully requests that the Examiner withdraw this rejection.

G. Independent Claim 25

Independent claim 25 requires (among other things):

... wherein said communication part requests from said authentication server an authentication based on said second information certificate...

In view of the similarity between these requirements and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that the foregoing arguments as to the patentability of independent claim 1 apply *at least* by analogy to claim 25. As such, it is respectfully submitted that claim 25 is patentably distinguishable over Ichikawa *at least* for reasons analogous to those presented above. Thus, the allowance of this claim is respectfully solicited of the Examiner.

H. Independent Claim 27

Independent claim 27 requires (among other things):

... wherein said communication part requests from said authentication server an authentication based on said second information certificate...

In view of the similarity between these requirements and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that the foregoing arguments as to the patentability of independent claim 1 apply *at least* by analogy to claim 27. As such, it is respectfully submitted that claim 27 is patentably distinguishable over Ichikawa *at*

least for reasons analogous to those presented above. Thus, the allowance of this claim is respectfully solicited of the Examiner.

I. Independent Claim 28

Independent claim 28 requires (among other things):

... inquiring, by said access point apparatus, to said authentication server whether said terminal is permitted, according to a MAC address, to communicate...

In view of the similarity between these requirements and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that the foregoing arguments as to the patentability of independent claim 1 apply *at least* by analogy to claim 28. As such, it is respectfully submitted that claim 28 is patentably distinguishable over Ichikawa *at least* for reasons analogous to those presented above. Thus, the allowance of this claim is respectfully solicited of the Examiner.

VI. Claim Rejections under 35 U.S.C. § 103 – Ichikawa in view of Lewis

The Examiner has rejected claims 4 and 10 under 35 U.S.C. § 103(a) as being unpatentable over Ichikawa in view of U.S. Patent No. 6,453,159 to Lewis (hereinafter “Lewis”). Applicant respectfully traverses these rejections for *at least* the reasons set forth below.

The dependent claims 4 and 10 incorporate all of the novel and non-obvious features of their base claims 1 and 6, respectively. As set forth above, Ichikawa fails to teach or suggest all the features of claims 1 and 6. Further, Lewis does not cure the deficient teachings of Ichikawa. As a result, Applicant respectfully submits that the dependent claims 4 and 10 are allowable *at*

least by virtue of their dependency on claims 1 and 6, respectively. Thus, Applicant requests that the Examiner withdraw these rejections.

VII. Claim Rejections under 35 U.S.C. § 103 – Ichikawa in view of Lewis and further in view of Applicant’s Admitted Prior Art

The Examiner has rejected claims 5 and 11 under 35 U.S.C. § 103(a) as being unpatentable over Ichikawa in view of Lewis and in further view of Applicant’s admitted prior art (Application, pages 1-3). Applicant respectfully traverses these rejections for *at least* the reasons set forth below.

The dependent claims 5 and 11 incorporate all of the novel and non-obvious features of their base claims 1 and 6, respectively. As set forth above, Ichikawa fails to teach or suggest all the features of claims 1 and 6. Moreover, neither Lewis nor Applicant’s admitted prior art cure the deficient teachings of Ichikawa. As a result, Applicant respectfully submits that the dependent claims 5 and 11 are allowable *at least* by virtue of their dependency on claims 1 and 6, respectively. Hence, Applicant respectfully requests that the Examiner withdraw these rejections.

VIII. Claim Rejections under 35 U.S.C. § 103 – Ichikawa in view of Applicant’s Admitted Prior Art

The Examiner has rejected claims 9 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Ichikawa and in view of Applicant’s Admitted Prior Art (Application, page 1). Applicant respectfully traverses these rejections for *at least* the reasons set forth below.

A. Dependent Claim 9

The dependent claim 9 incorporates all of the novel and non-obvious features of its base claim 6. As set forth above, Ichikawa fails to teach or suggest all the features of claim 6. Further, Applicant's admitted prior art does not cure the deficient teachings of Ichikawa. As a result, Applicant respectfully submits that the dependent claim 6 is allowable *at least* by virtue of its dependency on claim 6. Thus, Applicant requests that the Examiner withdraw this rejection.

B. Independent Claim 18

Independent claim 18 recites (among other things):

...wherein when an authentication request is issued by said terminal...
...communication is established with an authentication server, which determines whether to permit, or not to permit, said terminal to connect with a network according to said MAC address of said terminal.

In view of the similarity between these requirements and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that the foregoing arguments as to the patentability of independent claim 1 apply *at least* by analogy to claim 18. Thus, for *at least* the reasons presented above with respect to claim 1, Ichikawa fails to teach or suggest all the limitations of claim 18. Further, Applicant's admitted prior art fails to cure the deficient teachings of Ichikawa. Therefore, Applicant respectfully submits that claim 18 is allowable for *at least* these reasons, and respectfully requests that the Examiner withdraw this rejection.

IX. Claim Rejections under 35 U.S.C. § 103 – Ichikawa in view of Lewis and further in view of Applicant’s Admitted Prior Art

The Examiner has rejected claims 24 and 26 under 35 U.S.C. § 103(a) as being unpatentable over Ichikawa and in view Lewis and further in view of Applicant’s Admitted Prior Art (Application, pages 1-3). Applicant respectfully traverses these rejections for *at least* the reasons set forth below.

In view of the similarity between the requirements of claims 24 and 26 and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that arguments analogous to the foregoing arguments as to the patentability of independent claim 1 over Ichikawa also demonstrate the patentability of claims 24 and 26 over Ichikawa. Further, neither Lewis nor Applicant’s Admitted Prior Art remedies the deficient teachings of Ichikawa. As such, it is respectfully submitted that claims 24 and 26 are patentably distinguishable over the cited references *at least* for reasons analogous to those presented above. Thus, the allowance of these claims is respectfully solicited of the Examiner.

X. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

**Amendment Under 37 C.F.R. § 1.116
U.S. Application No. 09/680,258**

Attorney Docket No.: Q61120

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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